

Exhibit 37

United States of America ex rel. Ven-a-Care of the Florida Keys, Inc. v. Boehringer Ingelheim Corp. et al.

Civil Action No. 07-10248-PBS

Exhibit to the August 28, 2009 Declaration of James J. Fauci In Opposition To
Corrected Boehringer Ingelheim Corporation and Boehringer Ingelheim Pharmaceuticals, Inc.
Local Rule 56.1 Statement of Undisputed Material Facts
in Support of Their Motion For Summary Judgment

Michael Doan

HIGHLY CONFIDENTIAL

December 2, 2005

Duluth, GA

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Docket No. X07 CV-03-0083296-S (CLD):

STATE OF CONNECTICUT :

vs. :

DEY, INC., ROXANE LABORATORIES, :

INC., WARRICK PHARMACEUTICALS

CORP., SCHERING-PLOUGH CORP. :

and SCHERING CORPORATION :

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Deposition of MICHAEL DOAN

(Taken by State of Connecticut)

Duluth, Georgia

December 2, 2005

Deposition of MICHAEL DOAN, taken by State  
of Connecticut, at 3550 Venture Parkway, Duluth,  
Georgia, on the 2nd day of December, 2005 at 9:00  
a.m., before Kendra R. Bridges, Registered  
Professional Reporter and Notary Public. B-2194

Michael Doan

HIGHLY CONFIDENTIAL

December 2, 2005

Duluth, GA

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1 APPEARANCES OF COUNSEL:

2  
3 For State of Connecticut:

4 JEFFREY S. GOLDBERG, Esq.

5 Murdock Goldenberg Schneider & Groh, LPA

6 35 East Seventh Street, Suite 600

7 Cincinnati, Ohio 45202-2446

8 513-345-8297

9 513-345-8294

10 jgoldenberg@mgs glaw.com

11  
12 For Roxane Laboratories, Inc.:

13 PAUL J. COVAL, Esq.

14 Vorys, Sater, Seymour & Pease, LLP

15 52 East Gay Street

16 P.O.Box 1008

17 Columbus, Ohio 43216

18 614-464-5635

19 614-719-4674

20 pjcoval@vssp.com

21  
22  
HENDERSON LEGAL SERVICES  
202-220-4158

Michael Doan                      HIGHLY CONFIDENTIAL                      December 2, 2005  
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1                      A.     Yes.

2                      Q.     What's your recollection of that product as  
3     to who was the manufacturer of that?

4                      A.     Roxane.

5                      Q.     And what was Roxicodone used for?

6                      A.     Pain management.

7                      Q.     Was it -- is it your understanding that it  
8     was similar to like, morphine?

9                      MR. COVAL:    Objection; form.

10                     Q.     (By Mr. Goldenberg)    If you know?

11                     A.     I don't know.

12                     Q.     Do you recall attending any meetings where  
13     -- sales meetings where that was -- Roxicodone was a  
14     topic of the meeting?

15                     A.     No.

16                     Q.     Do you recall any particular products being  
17     a topic at a sales meeting?

18                     A.     No.

19                     Q.     So during this time period when you were a  
20     regional account manager with Roxane, so we're  
21     talking the 2000, 2001 time period, what -- how would  
22     you define your actual job responsibilities?

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1            A.    I called on the customers mentioned to try  
2    and sell Multi-Source and also made sure the branded  
3    products -- any business issues with the branded  
4    products were addressed.

5            Q.    Was there a time period with Roxane that  
6    you, then, had joint responsibility for some branded  
7    products at BIPI?

8            A.    Yes.

9            Q.    Do you have a recollection of what those  
10   branded products were?

11           MR. COVAL:    When he was with Roxane, you  
12   mean?

13           MR. GOLDENBERG:    Yeah.

14           Q.    (By Mr. Goldenberg)    That you had  
15   responsibility for.    My question is:    Do you have a  
16   recollection of what the branded products were that  
17   you had a responsibility for during this time period  
18   with Roxane?

19           A.    I don't recall.

20           Q.    Was Oramorph one of the products that you  
21   had responsibility for?

22           A.    Yes.